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*Attorneys for Plaintiff*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

DANIEL DONOHUE, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 5:11-cv-05337 RMW

**CLASS ACTION**

**JOINT STIPULATION FOR  
EXTENSION OF TIME TO FILE  
AMENDED COMPLAINT; ~~PROPOSED~~  
ORDER**

**[N.D. CAL. CIVIL LR 6-2]**

Judge: Hon. Ronald M. Whyte  
Complaint Filed: November 3, 2011  
Trial Date: None

1 Pursuant to Northern District Local Rules 6-1(b) and 6-2(a), Plaintiff and defendant Apple  
2 Inc. ("Apple"), by and through their respective counsel, hereby stipulate as follows:

3 WHEREAS, on May 10, 2012, the Court entered an order granting Apple's motion to  
4 dismiss;

5 WHEREAS, on June 1, 2012, the parties stipulated for Plaintiff to file a Second Amended  
6 Complaint ("SAC") on or before July 11, 2012, and for Apple to answer or otherwise plead in  
7 response thereto by August 1, 2012;

8 WHEREAS, the parties have met and conferred, and have agreed to extend Plaintiff's  
9 time to file the SAC in order to allow the parties additional time to amend or supplement the  
10 mediation protective order entered to allow Plaintiff to rely on confidential documents in  
11 connection with the SAC;

12 WHEREAS, the parties also conferred and agreed to extend Apple's time to plead or  
13 otherwise respond to the SAC;

14 WHEREAS, this is the second stipulation and request to extend time related to the SAC,  
15 and the first stipulation and request to extend time related to the SAC for the stated reason, and  
16 will not otherwise effect or alter any deadline set by this Court;

17 WHEREAS, facts and circumstances pertaining to the above-mentioned stipulations are  
18 described in the Stepick Declaration filed contemporaneously herewith;

19 NOW THEREFORE, the parties stipulate as follows:

- 20 1. Plaintiff's time to file the SAC is extended to and including August 1, 2012.
- 21 2. Apple's time to plead or otherwise respond to the SAC is extended to and  
22 including August 29, 2012.
- 23 3. Plaintiff's opposition to any motion filed by Apple in response to the SAC shall be  
24 filed on or before September 26, 2012.
- 25 4. Apple's reply brief in support of any motion in response to the SAC, shall be filed  
26 on or before October 17, 2012.
- 27 5. A hearing on Apple's responsive motion, if any, shall be set for November 2, 2012  
28 at 9:00 a.m.

6. If Apple files a responsive motion to the SAC, Apple shall not be obligated to answer the SAC until after the Court rules on Apple's motion.

Dated: July 6, 2012

PENELOPE A. PREOVOLOS  
STUART C. PLUNKETT  
SUZANNA P. BRICKMAN  
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By: /s/ Penelope A. Preovolos  
Penelope A. Preovolos

*Attorneys for Defendant*  
APPLE INC.

Dated: July 6, 2012

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By: /s/ Alex Stepick  
Alex Stepick

*Attorneys for Plaintiff*  
DANIEL DONOHUE

**[PROPOSED] ORDER**

**Pursuant to Stipulation, IT IS SO ORDERED.**

Dated: July 10, 2012



Honorable Ronald Whyte